

# PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail**

**Mail Stop ISSUE FEE**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, Virginia 22313-1450**  
**or Fax (703) 746-4000**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

00758 7590 08/25/2004

FENWICK & WEST LLP  
 SILICON VALLEY CENTER  
 801 CALIFORNIA STREET  
 MOUNTAIN VIEW, CA 94041



Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

|                          |                    |
|--------------------------|--------------------|
| Dorian Cartwright        | (Depositor's name) |
| <i>Dorian Cartwright</i> | (Signature)        |
| 9/3/04                   | (Date)             |

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.      | CONFIRMATION NO. |
|-----------------|-------------|----------------------|--------------------------|------------------|
| 09/757,963      | 01/10/2001  | John S. Flowers      | HVWD-01008US0<br>MEM/SBS | 9385             |

TITLE OF INVENTION: INTEROPERABILITY OF VULNERABILITY AND INTRUSION DETECTION SYSTEMS

| APPLN. TYPE    | SMALL ENTITY | ISSUE FEE | PUBLICATION FEE | TOTAL FEE(S) DUE | DATE DUE   |
|----------------|--------------|-----------|-----------------|------------------|------------|
| nonprovisional | NO           | \$1330    | \$0             | \$1330           | 11/26/2004 |

| EXAMINER           | ART UNIT | CLASS-SUBCLASS |
|--------------------|----------|----------------|
| MOORTHY, ARAVIND K | 2131     | 713-201000     |

|  |  |   |
|--|--|---|
| <p>1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).</p> <p><input type="checkbox"/> Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.</p> <p><input type="checkbox"/> "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.</p> | <p>2. For printing on the patent front page, list</p> <p>(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,</p> <p>(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.</p> | <p>1 Fenwick &amp; West LLP</p> <p>2</p> <p>3</p> |
|--|--|---|

## 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

### (A) NAME OF ASSIGNEE

nCircle Network Security, Inc.

### (B) RESIDENCE: (CITY and STATE OR COUNTRY)

San Francisco, California 09/08/2004 NBERHE1 00000021 09757963

Please check the appropriate assignee category or categories (will not be printed on the patent):

☐ Individual ☒ Corporation or other private group entity ☐ Government

### 4a. The following fee(s) are enclosed:

- ☒ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☒ Advance Order - # of Copies 10

### 4b. Payment of Fee(s):

- ☒ A check in the amount of the fee(s) is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 19-2555 (enclose an extra copy of this form).

## 5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature *Dorian Cartwright*

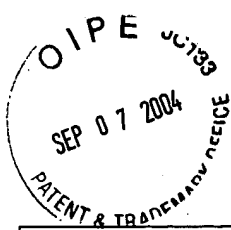
Typed or printed name Dorian Cartwright

Date 9/3/04

Registration No. 53,853

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



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|  |                        |  |                        |                    |
|--|------------------------|--|------------------------|--------------------|
| <b>TRANSMITTAL FORM</b><br><i>(to be used for all correspondence during pendency of filed application)</i> | 0001/PTO<br>Rev. 10/95 | U.S. Department of Commerce<br>Patent and Trademark Office | Application Number     | 09/757,963         |
|  |                        |  | Filing Date            | January 10, 2001   |
|  |                        |  | First Named Inventor   | John S. Flowers    |
|  |                        |  | Group Art Unit Number  | 2131               |
|  |                        |  | Examiner Name          | Aravind K. Moorthy |
| Total Number of Pages in This Submission   | 13                     |  | Attorney Docket Number | 23327-06896        |

| ENCLOSURES <i>(check all that apply)</i>  |  |
|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate)<br><input checked="" type="checkbox"/> Check Enclosed     | <input checked="" type="checkbox"/> Issue Fee Transmittal (in duplicate)                             |
| <input checked="" type="checkbox"/> Return Receipt Postcard   | <input type="checkbox"/> Letter to Chief Draftsperson  |
| <input type="checkbox"/> Response to Notice to File Missing Parts   | <input type="checkbox"/> Formal Drawing(s):<br>[ ] Sheet(s) of Figure(s) [ ]                         |
| <input type="checkbox"/> Assignment & Recordation Cover Sheet   | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences                  |
| <input type="checkbox"/> Declaration  | <input type="checkbox"/> Appeal Communication to Group<br><i>(Appeal Notice, Brief, Reply Brief)</i> |
| <input type="checkbox"/> Power of Attorney  | <input type="checkbox"/> Certified Copy of Priority Document(s)                                      |
| <input type="checkbox"/> Application Data Sheet   | <input type="checkbox"/> After Allowance Communication to Group                                      |
| <input type="checkbox"/> Information Disclosure Statement & PTO/SB/08A<br><input type="checkbox"/> Copies of IDS Cited References | <input type="checkbox"/> _____   |
| <input type="checkbox"/> Request for Corrected Filing Receipt   | <input type="checkbox"/> _____   |
| <input type="checkbox"/> Request for Correction of Recorded Assignment  | <input type="checkbox"/> _____   |
| <input checked="" type="checkbox"/> Amendment E Under 312: [8] Page(s)<br><input type="checkbox"/> After Final                    | <input type="checkbox"/> _____   |
| <input type="checkbox"/> Status Request   | <input type="checkbox"/> _____   |
| <input type="checkbox"/> Revocation and Substitute Power of Attorney  | <input type="checkbox"/> _____   |
| REMARKS:  |  |

| SIGNATURE OF ATTORNEY OR AGENT |                                    |        |                   |
|--------------------------------|------------------------------------|--------|-------------------|
| Signature:                     | <i>Dorian Cartwright</i>           |        |                   |
| Attorney/Reg. No.:             | Dorian Cartwright, Reg. No. 55,853 | Dated: | September 3, 2004 |

| CERTIFICATE OF MAILING  |                          |        |                   |
|---|--------------------------|--------|-------------------|
| I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10. |                          |        |                   |
| Signature:  | <i>Dorian Cartwright</i> |        |                   |
| Typed or Printed Name:  | Dorian Cartwright        | Dated: | September 3, 2004 |
| Express Mail Mailing Number (optional):   |                          |        |                   |

23327/06896/DOCS/1463092.1

SEP 07 2004

# FEE TRANSMITTAL for FY 2004

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT (\$)** 1360.00

## Complete if Known

Application Number 09/757,963  
Filing Date January 10, 2001  
First Named Inventor John S. Flowers  
Examiner Name Aravind K. Moorthy  
Art Unit 2131  
Attorney Docket No. 23327-06896

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None  
☐ Deposit Account:

Deposit Account Number 19-2555

Deposit Account Name Fenwick & West LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge all required fee(s) or any underpayment of fee(s) due under 37 CFR §1.16 or §1.17 during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee

to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 1001         | 770      | 2001         | 385      | Utility filing fee     |          |
| 1002         | 340      | 2002         | 170      | Design filing fee      |          |
| 1003         | 530      | 2003         | 265      | Plant filing fee       |          |
| 1004         | 770      | 2004         | 385      | Reissue filing fee     |          |
| 1005         | 160      | 2005         | 80       | Provisional filing fee |          |
| SUBTOTAL (1) |          |              |          | (\$)                   | 0        |

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims       | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| 33                 | -36** = 0    | 18             | 0        |
| Independent Claims | 3            | -4** = 0       | 86       |
| Multiple Dependent |              |                |          |

| Large Entity |          | Small Entity |          | Fee Description   |
|--------------|----------|--------------|----------|---|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |   |
| 1202         | 18       | 2202         | 9        | Claims in excess of 20                                    |
| 1201         | 86       | 2201         | 43       | Independent claims in excess of 3                         |
| 1203         | 290      | 2203         | 145      | Multiple dependent claim, if not paid                     |
| 1204         | 86       | 2204         | 43       | **Reissue independent claims over original patent         |
| 1205         | 18       | 2205         | 9        | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity                                      |          | Small Entity |          | Fee Description  | Fee Paid |
|---|----------|--------------|----------|--|----------|
| Fee Code  | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 1051  | 130      | 2051         | 65       | Surcharge - late filing fee or oath  |          |
| 1052  | 50       | 2052         | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053  | 130      | 1053         | 130      | Non-English specification  |          |
| 1812  | 2,520    | 1812         | 2,520    | For filing a request for <i>ex parte</i> reexamination                     |          |
| 1804  | 920*     | 1804         | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805  | 1,840*   | 1805         | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251  | 110      | 2251         | 55       | Extension for reply within first month                                     |          |
| 1252  | 420      | 2252         | 210      | Extension for reply within second month                                    |          |
| 1253  | 950      | 2253         | 475      | Extension for reply within third month                                     |          |
| 1254  | 1,480    | 2254         | 740      | Extension for reply within fourth month                                    |          |
| 1255  | 2,010    | 2255         | 1,005    | Extension for reply within fifth month                                     |          |
| 1401  | 330      | 2401         | 165      | Notice of Appeal   |          |
| 1402  | 330      | 2402         | 165      | Filing a brief in support of an appeal                                     |          |
| 1403  | 290      | 2403         | 145      | Request for oral hearing   |          |
| 1451  | 1,510    | 1451         | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452  | 110      | 2452         | 55       | Petition to revive - unavoidable   |          |
| 1453  | 1,330    | 2453         | 665      | Petition to revive - unintentional   |          |
| 1501  | 1,330    | 2501         | 665      | Utility issue fee (or reissue)   | 1330     |
| 1502  | 480      | 2502         | 240      | Design issue fee   |          |
| 1503  | 640      | 2503         | 320      | Plant issue fee  |          |
| 1460  | 130      | 1460         | 130      | Petitions to the Commissioner  |          |
| 1807  | 50       | 1807         | 50       | Processing fee under 37 CFR 1.17(g)  |          |
| 1806  | 180      | 1806         | 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021  | 40       | 8021         | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809  | 770      | 2809         | 385      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810  | 770      | 2810         | 385      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801  | 770      | 2801         | 385      | Request for Continued Examination (RCE)                                    |          |
| 1802  | 900      | 1802         | 900      | Request for expedited examination of a design application                  |          |
| Other fee (specify) 10 extra issued patent copies |          |              |          |  | 30       |

SUBTOTAL (3) (\$)

\*Reduced by Basic Filing Fee Paid

## SUBMITTED BY

Name (Print/Type) Dorian Cartwright Registration No. 53,853 Telephone (650) 335-7247  
Signature *Dorian Cartwright* Date September 3, 2004